

REMARKS

Claims 1-28 are pending in the application and stand rejected. Claims 1, 7, 8, 12, 18 and 19 have been amended. No new matter has been introduced by virtue of the claim amendments. The Examiner's reconsideration of the claim rejections is respectfully requested in view of the above amendments and following remarks.

Claim Rejections - 35 U.S.C. § 112

Claims 1-22 stand rejected under 35 U.S.C. 112, first paragraph, for the reasons set forth on pages 4-5 of the Final Office Action. Applicants traverse the rejection. Support the claim language "if the confidence score meets a threshold value" can be found, for example, on page 25, lines 7-10, of Applicant's specification. Withdrawal of the rejection is thus requested.

Claim Rejections - 35 U.S.C. §103

Claims 1-8, 12-19 and 23-25 stand rejected as being unpatentable over U.S. Patent No. 5,897,616 to Kanevsky, et. al. in view of U.S. Patent No.6,105,132 to Fritch et. al.

It is respectfully submitted that at the very least, claims 1, 12 and 23 are patentable and non-obvious over the combination of Kanevsky and Fritch.

In general, the inventions of claims 1 and 12 provide systems and methods for enabling a user access to different levels of secured data during a dialog session based on a measure of confidence (confidence score) in the validity of an identity claim received from the user upon commencement of the dialog session. Upon the occurrence of a predetermined event during the dialog session, a confidence score is computed to determine a current measure of confidence in the validity of the identity claim. In this manner, the level of secured data that may be accessed by the user during the dialog session will be changed, if necessary, according to the current measure of confidence in the validity of the identity claim.

The combination of Kanevsky and Fritch does not disclose the inventions of claims 1 and 12. The Examiner acknowledges (on page 2, paragraph 1 of the Final Office Action) that Kanevsky does not disclose that a confidence score is used to determine a level of secured data that can be accessed by the user. In this regard, the Examiner must acknowledge that Kanevsky does not disclose computing a current confidence score during a dialog session to determine a current measure of confidence in the validity of the identity claim, and changing the access level, if necessary, based on the current measure of confidence.

Fritch does not cure the deficiencies of Kanevsky in this regard. The Examiner acknowledges (on pages 2-3 of the Final Office Action) that Fritch merely discloses a method whereby access to different levels of security are based on matching the security level of the data to the security level that is assigned to the identity of the particular “task” or person that is seeking access to the data (as disclosed by Fritch, Col. 7, lines 35, for example). In other words, Fritch merely discloses that once a person’s identity is authenticated (binary operation, either yes or no), the person is given access according to the identified person’s pre-assigned clearance level(s).

These teachings of Fritch are in stark contrast to the claimed inventions, wherein a confidence score (which is a *measure of confidence* in the identity of a person (not binary)) is used to determine the user’s access level to secured data. In other words, if a user’s identity claim is validated to some degree (threshold), the access level is determined initially depending on the measure of confidence of the user’s identity claim, and such access level can vary depending on currently computed confidence scores during the user’s session.

There is simply no teaching or suggestion by the combination of Kanevsky and Fritch as to the claimed *confidence-based incremental access protocols*. Accordingly, claims 1 and 12 are

patentable and non-obvious over the combination of Kanevsky and Fritch. In addition, claim 23 is patentable and non-obvious over said combination for similar reasons given above for claims 1 and 12. Moreover, claims 2-8, 13-19 and 24-25 are patentable and non-obvious over said combination at least by virtue of their dependence from respective base claims 1, 12 or 23.

Claims 9-11, 20-22 and 26-28 stand rejected as being unpatentable over Kanevsky, and Fritch in further view of U.S. Patent No. 6,321,339 to French et al. These obviousness rejections is based, in part, on the contention that the combination of Kanevsky, and Fritch teaches the inventions of base claims 1, 12 and 23. However, these rejections are invalid at least for the same reasons given for the deficiencies of Kanevsky and Fritch as against base claims 1, 12 and 23. Accordingly, withdrawal of the obviousness rejections is respectfully requested.

Respectfully submitted,



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